

EXHIBIT 65

1 UNITED STATES DISTRICT COURT
2 MIDDLE DISTRICT OF TENNESSEE
3

4 NIKKI BOLLINGER GRAE, Individually
and on Behalf of All Others

5 Similarly Situated,

6 Plaintiff, Civil Action No.

7 vs. 3:16-cv-02267

8 CORRECTIONS CORPORATION OF
AMERICA, ET AL.,

9 Defendants.
10

11
12 CONFIDENTIAL - PURSUANT TO PROTECTIVE ORDER

13
14 VIDEOTAPED DEPOSITION OF D. SCOTT DODRILL

15
16 Conducted virtually via remote videoconference

17 October 15, 2020
18
19
20
21
22

23 Reported by:

Misty Klapper, RMR, CRR

24 Job No.: 10073528
25

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2 MIDDLE DISTRICT OF TENNESSEE
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8 CORRECTIONS CORPORATION OF
AMERICA, ET AL.,

9 Defendants.
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17 Videotaped deposition of D. SCOTT DODRILL, taken on
18 behalf of Plaintiff, via Zoom remote videoconference,
19 beginning at 10:14 a.m. CST on Thursday, October 15, 2020,
20 before Misty Klapper, RMR, CRR.
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1 APPEARANCES:
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8
9 ALSO PRESENT: CARRIE HOWARD, VIDEO OPERATOR

10 DONNA MELLENDICK

1 Whereupon:

2 D. SCOTT DODRILL,
3 was called for examination, and, after being duly
4 sworn, was examined and testified as follows:

5 MS. REPORTER: Thank you, sir.

6 EXAMINATION BY COUNSEL FOR PLAINTIFF

7 BY MR. FORGE:

8 Q. Good morning, Mr. Dodrill.

9 A. Good morning.

10 Q. Can you hear me all right, sir?

11 A. I can.

12 Q. Okay. If there's -- if at any point
13 today you have technical difficulties, as I've
14 had, please just let us know, okay?

15 A. I will.

16 Q. Great.

17 Mr. Dodrill, you retired from the BOP
18 in December of 2010; is that right?

19 A. At the end of -- at the end of
20 December, yes.

21 Q. Okay. Prior to your retirement,
22 what, if any, personal role did you have in
23 monitoring CCA's performance for the BOP?

24 A. I didn't have any personal role.

25 Q. That's fine. If you didn't have --

1 BY MR. FORGE:

2 Q. Sir, we already went over it, but I
3 guess we have to go over it again.

4 At the bottom of page 17 of
5 Exhibit 432, the BOP -- this is in the
6 Conclusions section of the report, correct?

7 A. Yes.

8 Q. Okay. So the BOP -- and it writes

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

12 Do you see that?

13 A. I do.

14 Q. You omit from your report the fact of
15 that conclusion, correct?

16 MR. GLENNON: Objection, vague,
17 foundation.

18 THE WITNESS: I do.

19 BY MR. FORGE:

20 Q. Now, if you turn to paragraph 38 of
21 your report --

22 A. Do you have a -- do you have a page
23 number?

24 Q. Sure. It is -- hold on.

25 A. Never mind, I got it.

1 Q. Here it is. Page 38, paragraph 98.

2 Page 38, paragraph 98.

3 A. Oh, page 38.

4 Q. Yep.

5 A. Okay. I'm there.

6 Q. Okay. Now, in paragraph -- I'm
7 sorry. In paragraph 97 -- in paragraph 97 on
8 page 38 you list three other for-profit prisons
9 that had what you would describe as major
10 disturbances.

11 Do you see that?

12 A. Yes.

13 Q. Okay. Now, let's take them one by
14 one.

15 Did you select these or did somebody
16 else select them for you?

17 A. I selected them.

18 Q. Okay. Let's take them one by one.

19 The Cornell Corrections facility in
20 Big Springs, Texas, the -- what you classify as
21 major disturbance there, compared to the 25 staff
22 members taken hostage at Adams, how many hostages
23 were taken at Cornell Corrections?

24 A. I --

25 MR. GLENNON: Objection, vague.

1 THE WITNESS: I don't recall any
2 being taken.

3 BY MR. FORGE:

4 Q. Okay. So you agree that 25 staff
5 members taken hostage at Adams is far worse than
6 the zero staff members taken hostage at Cornell
7 Corrections?

8 MR. GLENNON: Objection, vague.

9 THE WITNESS: Yes.

10 BY MR. FORGE:

11 Q. Okay. You -- you omitted that
12 unfavorable comparison in your reference to this
13 disturbance at Cornell Corrections, right?

14 A. Yes.

15 Q. All right. Now, compared to the
16 guard who was murdered in the Adams riot, how
17 many guards were murdered in the Cornell
18 Corrections disturbance?

19 MR. GLENNON: Objection, vague.

20 THE WITNESS: I'm sorry, was
21 somebody talking? Hello?

22 BY MR. FORGE:

23 Q. The floor is yours.

24 A. Okay. I forgot the question now.

25 Q. Sure.

1 disturbances?

2 MR. GLENNON: Objection,
3 foundation, vague.

4 THE WITNESS: I do not recall on
5 the Cornell and GEO. I know Management
6 and Training Corporation did contact them
7 quickly, so that would not be part of it.
8 I don't recall the other two.

9 BY MR. FORGE:

10 Q. Okay. So you don't -- you have no
11 information that the other two failed to contact
12 law enforcement for 110 minutes, correct?

13 MR. GLENNON: Object to form,
14 foundation.

15 THE WITNESS: That is correct.

16 BY MR. FORGE:

17 Q. And as to any of these three other
18 disturbances that you chose, did any of them
19 result in a finding by the BOP that a lack of
20 effective intelligence operations directly
21 contributed to the loss of control at those
22 facilities?

23 MR. GLENNON: Objection, vague and
24 foundation.

25 THE WITNESS: Again, I don't recall

1 on the Cornell and GEO. Management and

2 Training did not. They --

3 BY MR. FORGE:

4 Q. Okay.

5 A. -- did have that --

6 Q. So as far as you know, you're not
7 aware of any finding by the BOP that any of these

■ [REDACTED]

■ [REDACTED]

10 disturbances you reference here, correct?

11 MR. GLENNON: Objection, form and
12 foundation.

13 THE WITNESS: Correct.

14 BY MR. FORGE:

15 Q. Now, in the next paragraph,
16 paragraph 98, you list four BOP prisons that had
17 what you described as major disturbances, right?

18 A. Correct.

19 Q. Okay. Now, just to put this in
20 context, I think you said earlier the BOP runs
21 about 120 prisons compared to five that CCA used
22 to run for the BOP, right?

23 A. BOP has in -- in -- in excess of 120.

24 Q. Okay. So you omitted that ratio from
25 your comparison here, correct?

1 MR. GLENNON: Objection, vague.

2 THE WITNESS: I don't understand
3 the question.

4 BY MR. FORGE:

5 Q. Well, the BOP has at least 24 times
6 the number of prisons that CCA ran for the BOP,
7 correct?

8 MR. GLENNON: Objection, foundation
9 and vague.

10 THE WITNESS: My math's not very
11 good, but they had more than 100 more,
12 yeah, 120 more.

13 BY MR. FORGE:

14 Q. Right. Okay. You did not mention
15 that in this paragraph in which you find four
16 prisons -- four BOP-run prisons that had major
17 disturbances, do you?

18 MR. GLENNON: Objection, vague and
19 foundation.

20 THE WITNESS: No. I was looking
21 for BOP prisons that had a homogeneous
22 population.

23 BY MR. FORGE:

24 Q. Okay. Now, even though BOP runs over
25 20 times more prisons than CCA ran for the BOP,

1 But I -- I withdraw the last
2 objection as I understand it -- it -- it
3 falls under the rubric form. But badgering
4 the witness.

5 I'm going to instruct the witness not
6 to answer. He's answered the question a
7 number of times now.

8 BY MR. FORGE:

9 Q. Okay. You see further down on this
10 document --

11 A. Again, what page are we on?

12 Q. This -- we're still on page 4.

13 Six months before this prisoner
14 received inadequate oxygen after hanging himself
15 after not being given any mental health
16 treatment, six months earlier it was also -- it
17 was determined that another inmate was not
18 treated -- did not receive medical management in
19 accordance with policy and standards of care,
20 right?

21 A. I -- I was lost there for a second.
22 I'm reading.

23 Q. Okay.

24 A. Okay. In the previous CFM from
25 October there was a similar finding.

1 Q. Right. So that -- and that's what
2 makes this a repeat deficiency, right?

3 MR. GLENNON: Objection,
4 foundation, vague.

5 THE WITNESS: Yep. Each of those
6 standards will have several sub-standards
7 underneath of them. So it doesn't have to
8 be exactly the same thing to be a repeat.
9 Excuse me.

10 So this -- excuse me.

11 So it doesn't have to be the exact
12 same issue to get a repeat, just under the
13 same category, and that's what this is.

14 BY MR. FORGE:

15 Q. Right. So it's a repeat deficiency
16 in the sense of it is another instance -- six
17 months earlier there was another inmate who did
18 not receive medical treatment in accordance with
19 policy and standards of care, correct?

20 MR. GLENNON: Objection,
21 foundation, form.

22 THE WITNESS: Yes.

23 BY MR. FORGE:

24 Q. And the -- the deficiency for this
25 other inmate six months earlier was that the

1 inmate was not started on intravenous access on a
2 timely basis, correct?

3 MR. GLENNON: Objection, foundation
4 and form.

5 THE WITNESS: Correct. IV.

6 BY MR. FORGE:

7 Q. Okay.

8 MR. FORGE: Okay. Look, why don't
9 we take our break now. I'll get back
10 as -- as quickly as possible, but I think
11 we can go on break now.

12 VIDEO OPERATOR: Okay.

13 MR. GLENNON: Hey -- hey --
14 maybe -- hold on just -- just real
15 quickly.

16 Jason, I -- you said an hour but then
17 90 minutes. What -- what -- what exact --
18 do you -- do you have any more precision?

19 MR. FORGE: I don't know. What
20 I'll do, Brian, is I will E-mail you
21 when -- as soon as I have a better idea.
22 So if I'm leaving the doctor's office I'll
23 E-mail you that okay, we should be ready
24 to start in 15 minutes.

25 MR. GLENNON: Okay. Thank you.

CERTIFICATE OF NOTARY

I, MISTY KLAPPER, the officer before whom the foregoing deposition was taken, do hereby certify that the witness whose testimony appears in the foregoing deposition was duly sworn by me; that the testimony of said witness was taken by me in shorthand and thereafter reduced to typewriting by me; that said deposition is a true record of the testimony given by said witness; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this deposition was taken; and, further, that I am not a relative or employee of any attorney or counsel employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.



Misty Klapper, RMR, CRR
and Notary Public